

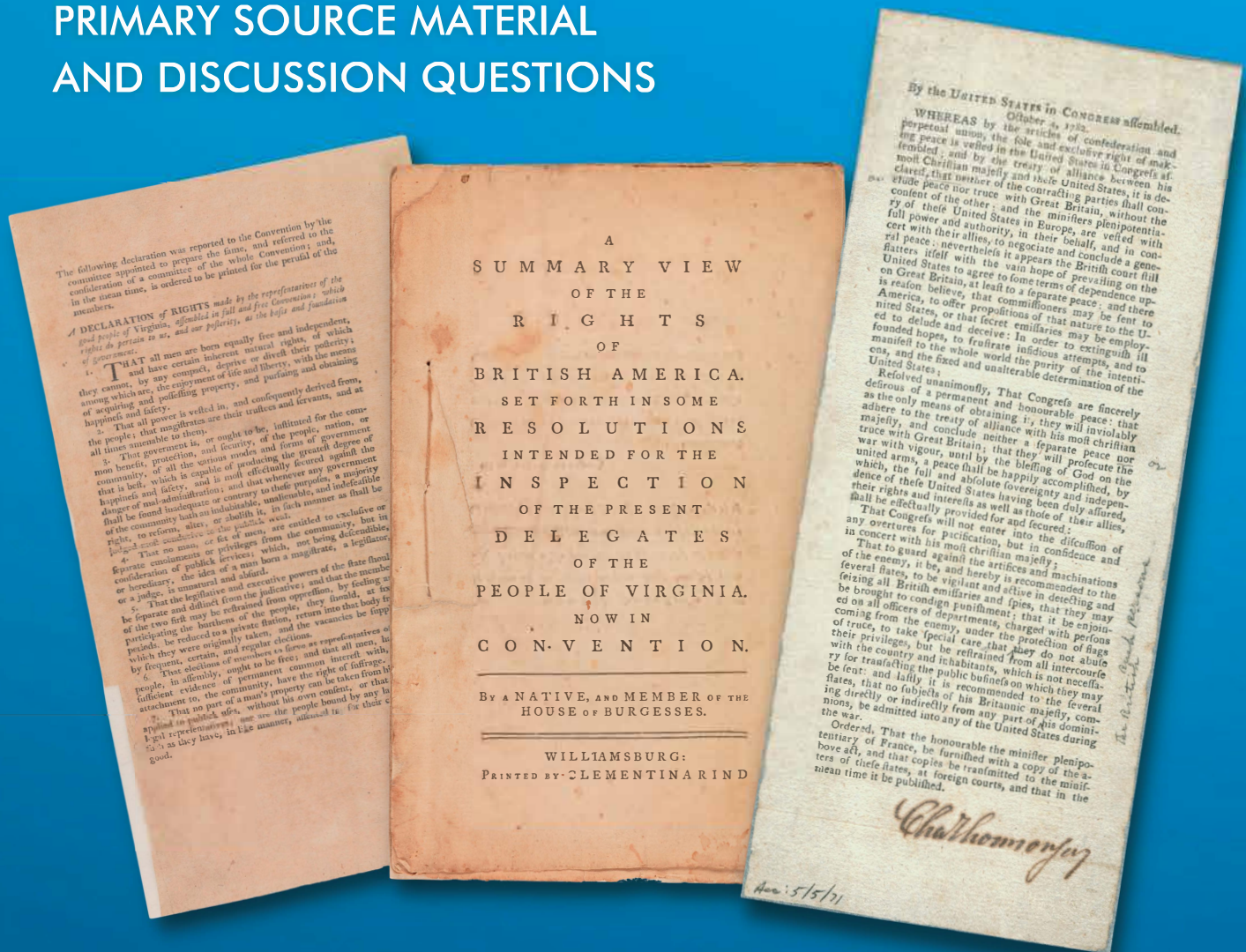


# COLLECTIONS IN THE CLASSROOM

## TEACHERS GUIDE & RESOURCES

### Creating a New Nation

#### PRIMARY SOURCE MATERIAL AND DISCUSSION QUESTIONS



## CREDITS

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## ACKNOWLEDGMENTS

The Virginia Museum of History & Culture's Education team thanks the many people and departments who contributed their time to this project.

## IMAGE CREDITS

All objects are from the Virginia Museum of History & Culture collections, except the following: Map, British and French Dominions in North American, 1755 (Library of Congress) and Mad Tom in a Rage (Met Museum).

## INTRODUCTION

*Creating A New Nation* will introduce students to significant events, figures, and documents that influenced the founding of the United States of America. From the Declaration of Independence to the first attempt at self-government under the Articles of Confederation, to the eventual writing and adopting of the U.S. Constitution, this packet will explore primary sources that help tell the story of how the U.S. government was formed.

## READING AND ANALYZING

This primary source packet is designed to help familiarize students with a variety of primary source material including broadsides, maps, letters, census data, political cartoons, and legal documents. When analyzing the materials, keep in mind the origin of the source - who created it? What was the purpose? Was it meant to be public or private? These questions, the material in the corresponding source packet, and the guidelines below will provide an avenue for integrating museum collections into the classroom.

### BACKGROUND: Creating A New Nation

In 1776, American colonists made the bold move to declare themselves independent of British rule. However, the Declaration of Independence did more than just state America's grievances with British policies toward colonists. It also asserted several important philosophical principles about freedom, power, and government. First, it claimed that "all men are created equal" and possess the "unalienable" rights to life, liberty, and the pursuit of happiness. Second, it stated that power only comes from the consent, or permission, of the people. Third, it stated that the only reason governments exist is to ensure those unalienable rights. So, if a government is no longer protecting these rights, the people have the power to alter or abolish its government. Americans were boldly stating that England had violated their rights. Therefore, they chose to abolish British rule and claimed their own independence as a separate and free nation.

However, the Declaration of Independence and the war that followed were only the beginning of the struggle for independence. If America was to no longer be under the rule of England, then who would rule? In the late 18<sup>th</sup> century, the world was ruled by kings and queens, but Americans chose to make another bold move and entrust government's power into the hands of its citizens, (white, land owning males), instead of a monarchy. This transition did not happen easily. America's first attempt at self-government under the Articles of Confederation proved to be riddled with problems.

Under the Articles, the states agreed to work together but each individual state retained its own power. After their experience with England, Americans were so afraid of a strong national government that they created a very weak central government that lacked the power to effectively govern a new nation.

It did not take long for American leaders to realize that changes needed to be made. When the issues within the Articles of Confederation could no longer be ignored, each state sent a group of delegates to a convention with the intent of correcting it. Soon, this group of men understood that fixing the Articles would be a long and arduous process. Instead, they decided to start over and create a new form of government. Meeting in Philadelphia, Pennsylvania over a four-month period in the summer of 1787, fifty-five men discussed, debated, and compromised, and wrote what would become the U.S. Constitution. But the transition from the Articles of Confederation to the U.S. Constitution was not a smooth one. Americans were deeply divided about whether to accept this new governing document.

Who should have power in government? How much power should the government have? What rights should individuals be guaranteed? How should the government protect these rights? All of these were questions that had to be confronted and answered as Americans debated our national identity.

## LIST OF SOURCES

Broadside, Declaration of  
Independence , 1776

Transcript, Articles of  
Confederation , 1777

Pamphlet, A summary view of  
the rights of British America,  
1774

Postcard, Molly Pitcher

Engraving and Testimony, James  
Armistead Lafayette, about 1824

Map, British and French  
Dominions in North America,  
1755\*

Letter, John Jay to Thomas  
Jefferson, October 1786

Census Data, 1790

Virginia Declaration of Rights

The Bill of Rights

Political Cartoon, Mad Tom in a  
Rage\*\*

*All letters are transcribed as  
written. Spelling, grammar, and  
punctuation errors have been  
retained.*

*\*Courtesy of the Library of  
Congress*

*\*\*Courtesy of the Met Museum*



## OVERALL DISCUSSION AND GUIDING QUESTIONS

### OBSERVE

1. What do you notice first?
2. Find something small but interesting.
3. What do you notice that you didn't expect? What do you notice that you can't explain?  
What do you notice now that you didn't earlier?

### REFLECT

1. Where do you think this came from?
2. Why do you think somebody made this? What do you think happened when this was made?
3. Who do you think was the audience for this item?
4. What tool was used to create this?
5. Why do you think this item is important?
6. If someone made this today, what would be different?
7. What can you learn from examining this?

### QUESTION

1. What do you wonder about...who? what? when? Where? Why? How?

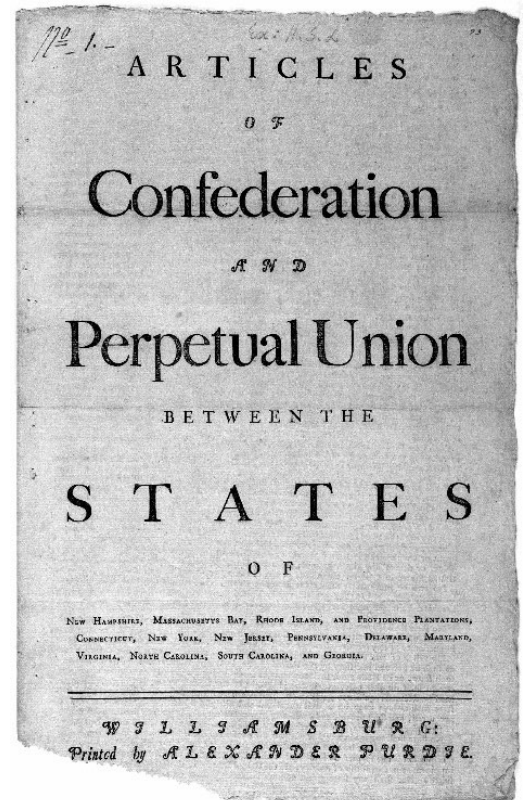
## CONTEXT AND DISCUSSION QUESTIONS FOR EACH SOURCE

### Broadside, Declaration of Independence, 1776

VMHC Call Number: Broadside 1776: 1

After years of what many colonists believed was an abuse of power, the Second Continental Congress decided it was time to officially declare the colonies a separate nation, independent of British rule. While a committee of five men was tasked with writing this document, Thomas Jefferson penned the first draft. In this document, Jefferson wrote what he believed to be the purpose of government, the rights of the people, and why the American colonists had a duty to separate themselves from England. Adopted and signed in July 1776, the principles of liberty and equality listed in the Declaration of Independence became the bedrock of American government. However, at the time it was written, Jefferson's words did not yet apply to all people in America.

1. Based on your prior knowledge of this period, which groups of people do you think were excluded from the idea that "all men are created equal"?
2. According to the second paragraph of the Declaration of Independence, what is the purpose of government? What can the people do if the government does not live up to that purpose?
3. Define grievances.
4. Choose 3 grievances from the Declaration of Independence and put them in your own words.



### Transcript, Articles of Confederation, 1777

Transcript from National Archives

In June 1776, the day after the Second Continental Congress appointed the committee who wrote the Declaration of Independence, it appointed a second committee to write the Articles of Confederation. So, while colonists wrote the document that declared an end to British rule, they were also working on the creation of what would become America's first attempt at self-government. Created in the middle of the Revolutionary War, the Articles of Confederation were written as a direct reaction to the colonists' grievances with King George and English rule.

1. Why would colonists begin writing a new plan of government before they officially declared independence and won the war?
2. What is a confederation? Why would the committee and the Second Continental Congress choose to create a confederation?
3. Refer to the list of grievances you made from the Declaration of Independence. How did the Articles ensure that same problem wouldn't occur in the new American government?

## **A Summary of the Rights of British America, 1774**

VMHC Call Number: Rare E211 .J45 1774 2d

Many have heard of the pamphlet “Common Sense” written by Thomas Paine which helped to sway the minds of many colonists towards the American cause. However, in Virginia, an additional pamphlet was printed that was equally as important in convincing many people of the injustices being inflicted by England. The pamphlet was entitled “A Summary of the Rights of British America.” This pamphlet was written before the Declaration of Independence and listed ways King George III and the British Parliament trampled on the rights of the colonists in America. For a long time, the author was anonymous, the pamphlet stating only that it was printed by Clementina Rind. Mrs. Rind took over her husband’s publishing business in Williamsburg, VA when he died in 1773. She was the first woman printer in Virginia and was the first woman to serve in Virginia’s colonial government when the House of Burgesses elected her to the post of Public Printer in 1774. Although, she would most likely have known the author of the pamphlet, there is no record that she ever shared this information with anyone before her death. It was later discovered that Thomas Jefferson was the author.

1. Why is it significant that a woman printed this important pamphlet?
2. How do you think Clementina Rind felt that she could print information about government and the war but as a woman had no political power?
3. Do you think it was common for woman to own a business in colonial Virginia? Research to see if you can find any other women who owned businesses in colonial Virginia leading up to the American Revolution.

## **Postcard, Molly Pitcher**

VMHC Object Number: 2004.104.63

While women did not have many political rights at this time (they did not have the right to vote, could not be elected to serve in the government), they still played a role in helping America fight for independence. Many women maintained their families’ farms and businesses while their husbands fought in the War for Independence. Some women even followed their husbands to battle and served as nurses and cooks in the soldiers’ camps. One example is a woman known as Molly Pitcher. Historians are not sure if Molly was a real person or if her story is the combination of many different women. It is said that during the Battle of Monmouth, Molly brought water in a pitcher to the soldiers on the battlefield (hence the name “Pitcher”). When her husband fell due to heat stroke, Molly took over his position and fought the rest of the battle in his place.

1. What is Molly doing in this image?
2. Was it common for women to be on a battlefield at this point in history? Why or why not?
3. Why do you think Molly decided to take over her husband’s position in the battle? How do you think her husband felt about this?

## Engraving and Testimony, James Lafayette, about 1824

VMHC Object Number: 1993.215

During the Revolutionary War, enslaved Virginians often chose sides based on their own prospects for liberty. In 1781, James obtained permission from his master—William Armistead of New Kent County—to serve the patriot cause. He worked as a spy for the Marquis de Lafayette, who commanded American forces in Virginia. Pretending to be a fugitive slave, James infiltrated British camps and gathered intelligence that contributed to America’s victory at Yorktown in October 1781. After the war, he unsuccessfully petitioned the Virginia legislature for his freedom until 1784, when a testimonial from Lafayette helped secure his freedom. As a free man, James took Lafayette’s last name and farmed 40 acres in New Kent County.

During the Marquis de Lafayette’s later tour of the United States in 1824, an artist created this print with a portrait of James Lafayette and the text of the Marquis’ 1784 testimonial in support of his freedom.



Print of the Marquis  
de Lafayette and James  
VMHC 1993.178

1. What reason(s) does the Marquis de Lafayette state that James should have his freedom?
2. What do you think he means by “perfectly acquitted himself with some important commissions”?
3. Why do you think James was not able to successfully petition for his own freedom?

## A Map of the British and French Dominions in North America, 1755

Courtesy of the Library of Congress, Item Number G3300 1755 .M51

The Continental Congress adopted the Articles of Confederation on November 15, 1777. Virginia was the first state to ratify it in December 1777. Maryland, the thirteenth state to ratify the Articles, did not do so until March 1, 1781. Why did it take Maryland so long to ratify the new government? Seven states insisted their colonial charters extended their boundaries to the Mississippi River or beyond. Virginia maintained that its charter granted a claim to western land all the way to the Pacific Ocean, as well as the Northwest Territories. Maryland had no western claims and refused to ratify the Articles unless the other states ceded their western claims to the federal government. Thomas Jefferson, the governor of Virginia at the time, was able to persuade his fellow Virginians to do just that. Virginia ceded the largest amount of land.



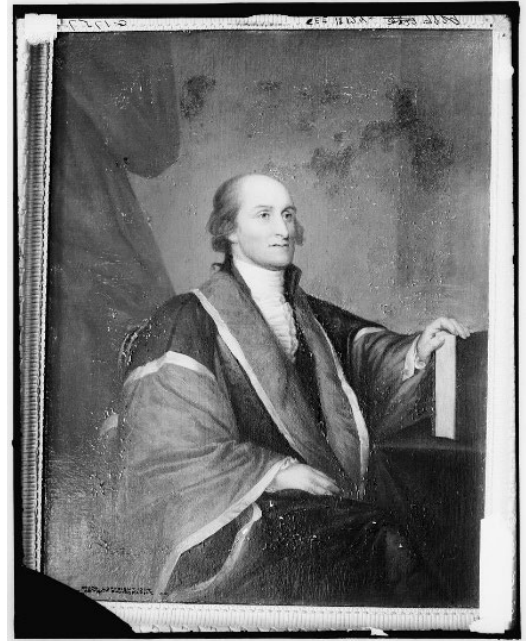
Thomas Jefferson  
VMHC 1978.22

1. Looking at the map, why would Maryland be worried about other states having claims to western land? How would states ceding those western lands benefit Maryland?
2. Compare the map from 1755 to a modern-day map of the United States. Make a list of present-day states that were included in the land Virginia claimed.
3. What were the pros and cons of Virginia ceding its claim to that much land to the American government?

## Letter, John Jay to Thomas Jefferson - October 27, 1786

*The Correspondence and Public Papers of John Jay*. Edited by Henry P. Johnston. 4 vols. New York and London: G. P. Putnam's Sons, 1890-93. VMHC Call Number: E302 .J38

Due to perceived abuses suffered under British rule, Americans hesitated to create a powerful central government. Instead, they created a weak central government that had very limited power. Under the Articles of Confederation, the central government consisted of just one branch, a Congress, in which every state had an equal vote. This Congress could make laws but had no power to enforce them within the states. It could request taxes but had no power to force states to comply. It could declare war and appoint military officers but had no power to raise an army. It could sign treaties and form alliances with other countries but had no power to compel the states to abide by them. It did not have the power to coin money and there was no national court system to settle disputes. Instead of a strong central government, it was the individual states that maintained most of the government's power. This led to many problems within the newly formed United States of America.



**John Jay**

Courtesy of Library of Congress

1. Based on the letter you read, do you think John Jay was pleased with the new American government? How can you tell? What are some clues from the text that let you know how John Jay feels?
2. Which weakness of the government do you think most concerned John Jay? How can you tell? Why would that be the most concerning?
3. What do you think is meant by the phrase, "either the wisdom or the passions of the people will produce changes"?
4. Based on what you've learned about life in America under the Articles of Confederation, did the wisdom or the passions of people cause a change?

## Census Data, 1790

*A century of population growth from the first census of the United States to the twelfth, 1790-1900*. United States Bureau of the Census. Washington, D.C. : Government Printing Office, 1909. VMHC Call Number: HA 195 .A5

As time went on, it became increasingly clear that the Articles of Confederation were not sufficient to govern the new nation. Each state selected delegates to send to a convention to revise the Articles but delegates decided it would be better to start over and create a new governing document. Deciding what this new document would look like was no easy task. Competing interests among the states led to many heated debates. One major debate focused on the issue of representation in the legislative branch of the government. Virginia delegates created a plan that based representation on the states' populations. In contrast, New Jersey proposed a plan that required equal representation for every state no matter the population. The delegates argued constantly and neither side was willing to give in. Eventually, Roger Sherman of Connecticut settled this debate by proposing what became known as The Great Compromise. In this plan, the legislative branch would be separated into two houses. In one house, representation would be based on population and in the other, there would be equal representation. To pass a bill into law, there needed to be the approval of both houses. After the delegates settled the question of representation, another debate arose over how to determine population. This debate revolved around the status of enslaved people, who were legally considered property instead of citizens. Slaveholding states wanted to count enslaved people as part of their population, while northern states felt only a state's free population should be counted. Eventually another compromise was proposed, the 3/5 Compromise, in



which three-fifths of a state's enslaved population could be included as a part of the population to determine representation.

1. Based on the 1790 Census data, which states do you think would have been in favor of the Virginia Plan? Which would have preferred the New Jersey Plan? Why?
2. Why would some states want to include enslaved people in their population? Why would some states oppose it?
3. Based on the census data, which states would benefit the most from the 3/5 Compromise? Why?

## Virginia Declaration of Rights

VMHC Call Number: JK3925 1776 May .A12

After much debate and compromise, the delegates to the Constitutional Convention drafted the U.S. Constitution, which they hoped would serve as the backbone of American Government. To become the official governing document of the U.S., the Constitution needed at least 7 of the 13 states to ratify it. However, many were not pleased with the final draft of the Constitution. This division created the first two political parties in the United States. The Federalists, who were in favor of ratifying the Constitution and the Anti-Federalists, who were opposed to its ratification. George Mason, a delegate from Virginia, was a very prominent Anti-Federalist. He was one of the few delegates who refused to sign the Constitution during the convention and became one of the most outspoken opponents of ratification in Virginia, even going so far as to publish a list of his objections to the U.S. Constitution as it was drafted. His main concern focused on the new Constitution's lack of protections of individual rights. George Mason worked towards the protection of individual liberty his entire career. In 1776, Mason served as the main writer of the Virginia Declaration of Rights, which became a model for many of the state constitutions that followed.



George Mason  
VMHC 1858.2

1. What would be the danger in adopting a constitution that did not contain any protections of individual liberties?
2. The Virginia Declaration of Rights was written in 1776, as the American Revolution was just beginning. Make a list of five important individual liberties that George Mason included.

## Bill of Rights (Facsimile No. 1 of the United States Archives, Washington, D.C.)

VMHC Call Number: Mss7:3 JK169 Un3:1

As the debate between Federalists and Anti-Federalists continued, it became clear that in order to ratify the new U.S. Constitution, another compromise would need to be made. Those in favor of the Constitution promised to add a Bill of Rights immediately after it was ratified. Without this promise, it is unclear whether the U.S. Constitution would have ever been ratified. In keeping with the promise made to Anti-Federalists, James Madison wrote twelve amendments to the U.S. Constitution that protected individual liberty. Only ten were ratified and these first ten amendments became known as the Bill of Rights. James Madison, known as the Father of the Constitution because of his role in drafting the Constitution and the Bill of Rights, modeled his amendments after George Mason's Virginia Declaration of Rights. The Bill of Rights still plays a major role in protecting individual rights today.

1. Choose three amendments from the Bill of Rights. Is a similar right found in the Virginia Declaration of Rights? Fill in the graph to show the wording of the amendment from the Bill of Rights and the section and wording from the Virginia Declaration of Rights.

Bill of Rights	Virginia Declaration of Rights
Amendment #__	Section #__
Amendment #__	Section #__
Amendment #__	Section #__

- How is the wording the same or different in the Bill of Rights and the Virginia Declaration of Rights?
- Do you think George Mason would have been pleased with the Bill of Rights? Why or why not?

**Political Cartoon, Mad Tom in a Rage**, Anonymous, American, 19th century  
 Courtesy of The Met Museum, The Elisha Whittelsey Collection, The Elisha Whittelsey Fund, 1953

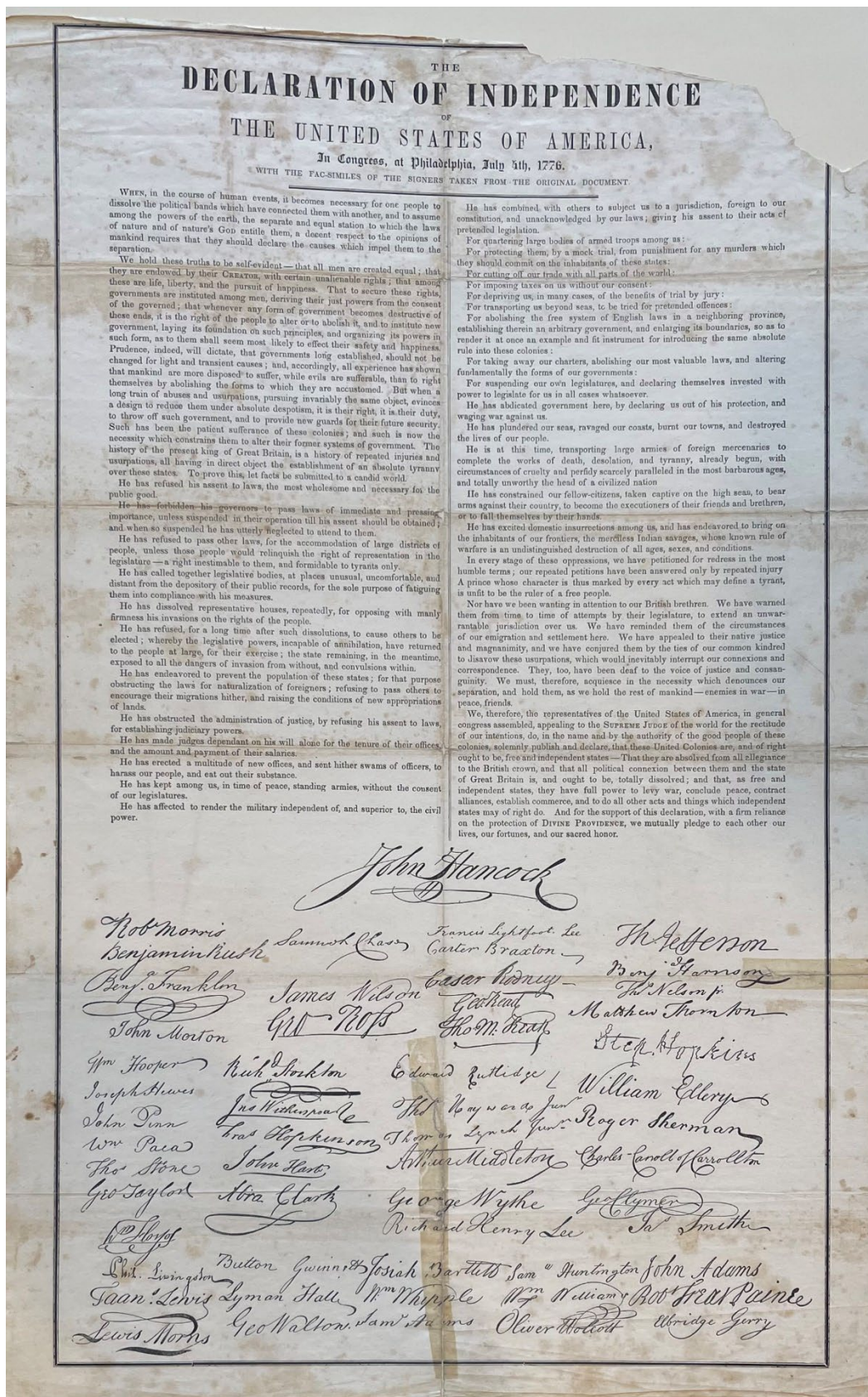
The ratification of the U.S. Constitution in 1788 did not mean the Founding Fathers had settled all their political disagreements. This political cartoon, published in 1801, shows an image of “Mad Tom” trying to pull down the Federal Government. Historians debate as to whether the “Tom” in this image is Thomas Jefferson or Thomas Paine. Both held radical ideas about the government that many considered controversial at the time this cartoon was published. Whichever “Tom” is being depicted here, the cartoon helps illustrate how political leaders continued to debate the principles of government. In fact, that debate is still ongoing in our country today, over 200 years after the ratification of the Constitution.

- What symbols do you see in this political cartoon? What do those symbols represent?
- What message do you think the cartoonist was trying to get across? Support your answer with specific examples from the cartoon.
- Research Thomas Jefferson and Thomas Paine’s view of government. Who do you think is depicted in the cartoon and why?

# Creating A New Nation

## Broadside, Declaration of Independence

VMHC Call Number Broadside 1776:1



## TRANSCRIPT | The Declaration of Independence

In Congress, July 4, 1776

The unanimous Declaration of the thirteen united States of America, When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.-That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.



He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

# Creating A New Nation

## Articles of Confederation (1777)

Transcript from National Archives

To all to whom these Presents shall come, we, the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the year of our Lord One Thousand Seven Hundred and Seventy seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia in the Words following, viz. "Articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

Article I. The Stile of this confederacy shall be, "The United States of America."

Article II. Each state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

Article III. The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

Article IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any state, to any other State of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

If any Person guilty of, or charged with, treason, felony, or other high misdemeanor in any state, shall flee from Justice, and be found in any of the united states, he shall upon demand of the Governor or executive power of the state from which he fled, be delivered up, and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

Article V. For the more convenient management of the general interests of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.

No State shall be represented in Congress by less than two, nor by more than seven Members; and no person shall be capable of being delegate for more than three years, in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the united states, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the united states, in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any Court, or place out of Congress, and the members of congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on congress, except for treason, felony, or breach of the peace.

Article VI. No State, without the Consent of the united States, in congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty, with any King prince or state; nor shall any person holding any office of profit or trust under the united states, or any of them, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state; nor shall the united states, in congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the united states, in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the united States in congress assembled, with any king, prince, or State, in pursuance of any treaties already proposed by congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace, by any state, except such number only, as shall be deemed necessary by the united states, in congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up, by any state, in time of peace, except such number only as, in the judgment of the united states, in congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No State shall engage in any war without the consent of the united States in congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the united states in congress assembled, can be consulted: nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united states in congress assembled, and then only against the kingdom or State, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united states in congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united states in congress assembled shall determine otherwise.

Article VII. When land forces are raised by any state, for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made appointment.

Article VIII. All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the united states in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the united states, in congress assembled, shall, from time to time, direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the united states in congress assembled.

Article IX. The united states, in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article - of sending and receiving ambassadors - entering into treaties and alliances, provided that no treaty of commerce shall be made, whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever - of establishing rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the united States, shall be divided or appropriated - of granting letters of marque and reprisal in times of peace - appointing courts for the trial of piracies and felonies committed on the high seas; and establishing courts; for receiving and determining finally appeals in all cases of captures; provided that no member of congress shall be appointed a judge of any of the said courts.

The united states, in congress assembled, shall also be the last resort on appeal, in all disputes and differences now subsisting, or that hereafter may arise between two or more states concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority, or lawful agent of any state in controversy with another, shall present a petition to congress, stating the matter in question, and praying for a hearing, notice thereof shall be given, by order of congress, to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names, as congress shall direct, shall, in the presence of congress, be drawn out by lot, and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges, who shall hear the cause, shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons which congress shall judge sufficient, or being present, shall refuse to strike, the congress shall proceed to nominate three persons out of each State, and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court, to be appointed in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive; the judgment or sentence and other proceedings being in either case transmitted to congress, and lodged among the acts of congress, for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the State where the cause shall be tried, "well and truly to hear and determine the matter in question, according

to the best of his judgment, without favour, affection, or hope of reward: “provided, also, that no State shall be deprived of territory for the benefit of the united states.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the congress of the united states, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The united states, in congress assembled, shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states - fixing the standard of weights and measures throughout the united states - regulating the trade and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state, within its own limits, be not infringed or violated - establishing and regulating post-offices from one state to another, throughout all the united states, and exacting such postage on the papers passing through the same, as may be requisite to defray the expenses of the said office - appointing all officers of the land forces in the service of the united States, excepting regimental officers - appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the united states; making rules for the government and regulation of the said land and naval forces, and directing their operations.

The united States, in congress assembled, shall have authority to appoint a committee, to sit in the recess of congress, to be denominated, “A Committee of the States,” and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the united states under their direction - to appoint one of their number to preside; provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the united states, and to appropriate and apply the same for defraying the public expenses; to borrow money or emit bills on the credit of the united states, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted, - to build and equip a navy - to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state, which requisition shall be binding; and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them, in a soldier-like manner, at the expense of the united states; and the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the united states, in congress assembled; but if the united states, in congress assembled, shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, clothe, arm, and equip, as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the united states in congress assembled.

The united states, in congress assembled, shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof nor ascertain the sums and expenses necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate



money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine states assent to the same, nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the united states in congress assembled.

The congress of the united states shall have power to adjourn to any time within the year, and to any place within the united states, so that no period of adjournment be for a longer duration than the space of six Months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each State, on any question, shall be entered on the Journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request, shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several states.

Article X. The committee of the states, or any nine of them, shall be authorized to execute, in the recess of congress, such of the powers of congress as the united states, in congress assembled, by the consent of nine states, shall, from time to time, think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states, in the congress of the united states assembled, is requisite.

Article XI. Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

Article XII. All bills of credit emitted, monies borrowed, and debts contracted by or under the authority of congress, before the assembling of the united states, in pursuance of the present confederation, shall be deemed and considered as a charge against the united States, for payment and satisfaction whereof the said united states and the public faith are hereby solemnly pledged.

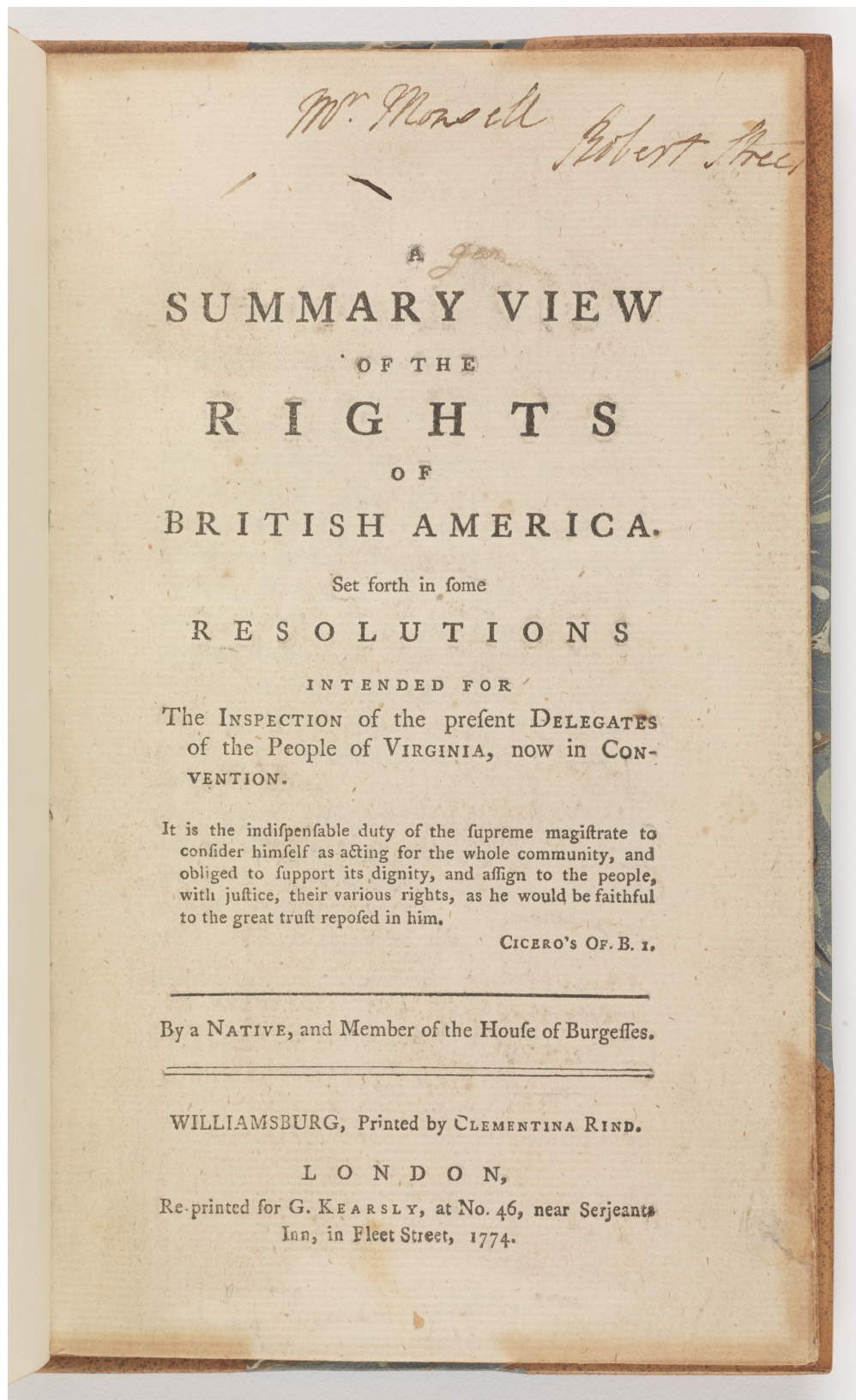
Article XIII. Every State shall abide by the determinations of the united states, in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a congress of the united states, and be afterwards con-firmed by the legislatures of every state.

And Whereas it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union, Know Ye, that we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the united states in congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the states we respectively represent, and that the union shall be perpetual. In Witness whereof, we have hereunto set our hands, in Congress. Done at Philadelphia, in the State of Pennsylvania, the ninth Day of July, in the Year of our Lord one Thousand seven Hundred and Seventy eight, and in the third year of the Independence of America.

## Creating A New Nation

A Summary View of the Rights of British America, 1774

VMHC Call Number: Rare E211 .J45 1774





## Creating A New Nation

Postcard, Molly Pitcher

VMHC Object Number: 2001.104.63





## Creating A New Nation

Engraving and Testimony, James Armistead Lafayette, about 1824

VMHC Object Number 1993.215



This is to certify that the Bearer by the Name of James  
Has done Essential Service to me while I had the Honour to  
Command in this State. His Intelligence from the Enemy's  
Camp were industriously collected and more faithfully delivered  
He perfectly acquitted Himself with some important Commissions  
I gave Him and appears to me enabled to carry forward his  
Situation can admit of. Done under my Hand, Richmond  
November 21<sup>st</sup> 1786  
Lafayette

— 12 Oct 1786 — Mat. Coxe's MS. 24



**TRANSCRIPT | Engraving and Testimony, James Armistead Lafayette, about 1824**

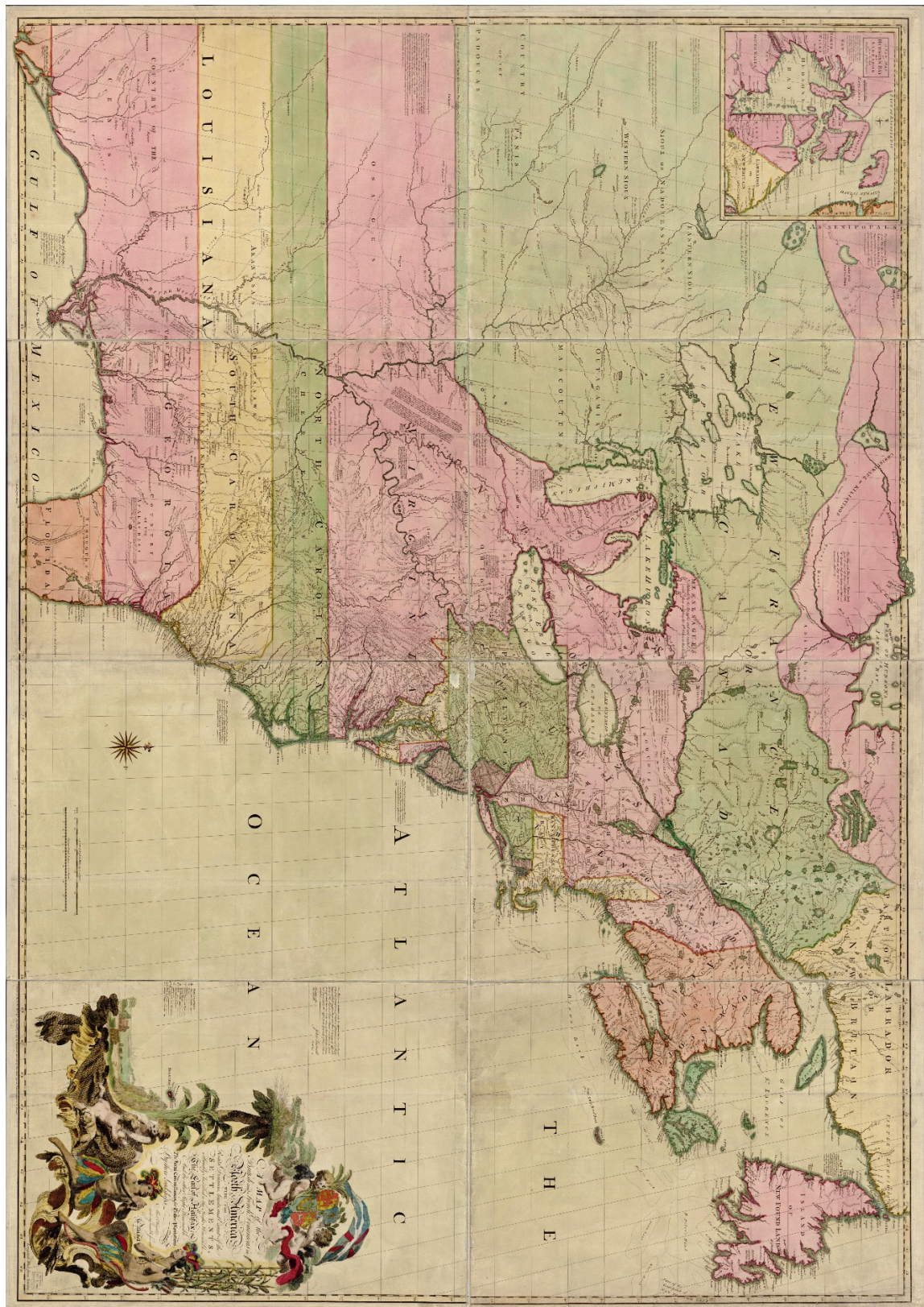
This is to certify that the Bearer By The Name of James  
has done essential services to me While I Had the Honour to  
Command in this state. His intelligences from the enemy's  
Camp were industriously collected and more faithfully delivered.  
He perfectly acquitted Himself with Some important Commissions  
I gave him and appears to me entitled to every reward his  
Situation can admit of. Done under my hand, Richmond  
November 21<sup>st</sup> 1784.

Lafayette



**Map, A Map of the British and French Dominions in North America, 1755**

Courtesy of Library of Congress, Item Number G3300 1755 .M51



## Creating A New Nation

Letter, John Jay to Thomas Jefferson – October 27, 1786  
VMHC Call Number E302 .J38

New York 27th. October 1786

DR. SIR

I wrote you a few Lines by the last french Packet mentioning the Letters I had received from you, and that by another Conveyance you would receive particular and important Dispatches from me.

Those Dispatches relate to the Consular Convention; they begin with a Letter from me of the 3d. Inst. which, among other Matters, enumerates the Number of Papers annexed to it.

After those Dispatches were completed it was accidentally and seasonably discovered, that the Entry of the *Scheme* of the Convention in the Books of this Office was erroneous. As in forming my Report I considered this Scheme as really being what it appeared to be from that Entry, correspondent Errors naturally took place in the Report.

On making that Discovery I wrote a Letter to the President of Congress dated the 9th. Instant, a Copy of which you will find to be the last Paper which forms the Packet herewith enclosed. On that Letter Congress were pleased to direct me to take Order, which is in other Words saying, that they approve of the Opinion given in the last Paragraph of the Letter.

We learn from the Chargé des Affaires of France that a Treaty is concluded for us with Morocco. We are anxious to be ascertained of the Fact, and to receive a Copy of it, that positive and accurate Information on the subject may be published. It is long since we heard that a Treaty with Portugal was likewise concluded, but it has not yet arrived, nor are we advised of the Reasons which retard its Conveyance.

In my Opinion you and Mr. Adams should have Commissions to treat with the Emperor and some other Powers, but it so happens that more domestic Objects divert the Attention of Congress in a considerable Degree, from their Affairs abroad.

The inefficacy of our Government becomes daily more and more apparent. Our Credit and our Treasury are in a sad Situation, and it is probable that either the Wisdom or the Passions of the People will produce Changes.

A Spirit of Licentiousness has infected Massachusetts, which appears more formidable than some at first apprehended; whether similar Symptoms will soon mark a like Disease in several other States, is very problematical.

The public Papers herewith sent contain everything generally known about these Matters. A Reluctance to Taxes, an Impatience of Government, a Rage for Property, and little Regard to the Means of acquiring it, together with a Desire of Equality in all Things, seem to actuate the Mass of those who are uneasy in their Circumstances; to these may be added the Influence of ambitious Adventurers, and the Speculations of the many Characters who prefer private to public good, and of others who expect to gain more from Wrecks made by Tempests, than from the Produce of patient and honest Industry. As the Knaves and Fools of this World are forever in Alliance, it is easy to perceive how much Vigour and Wisdom a Government from its Construction and Administration should possess, in Order to repress the Evils which naturally flow from such copious Sources of Injustice and Evil.



Much I think is to be feared from the Sentiment which such a State of Things is calculated to infuse into the Minds of the rational and well intentioned. In their Eyes the Charms of Liberty will daily fade, and in seeking for Peace and Security, they will too naturally turn towards Systems in direct Opposition to those which oppress and disquiet them.

If Faction should long bear down Law and Government, Tyranny may raise its Head, or the more sober part of the People may even think of a King.

In short, my Dr. Sir; we are in a very unpleasant Situation. Changes are Necessary, but what they ought to be, what they will be, and how and when to be produced, are arduous Questions. I feel for the Cause of Liberty and for the Honor of my Countrymen who have so nobly asserted it, and who at present so abuse its Blessings. If it should not take Root in this Soil little Pains will be taken to cultivate it in any other.

This Letter will be carried to London by the Revd. Mr. Provost, who will with his own Hands deliver it to Mr. Adams with one from me, requesting him to convey to you by some trusty Hand.

I have the Honor to be with great Respect & Esteem &c.,

JOHN JAY

P.S. I also enclose Copies of three Acts of Congress Vizt. of 16. 20. and 21. Inst.

# Creating A New Nation

Census Data, 1790

VMHC Call Number HA 195 .A5

TABLE 7.—POPULATION OF THE UNITED STATES AS RETURNED AT THE FIRST CENSUS, BY STATES: 1790.

DISTRICT.	Free white males of 16 years and upward, including heads of families.	Free white males under 16 years.	Free white females, including heads of families.	All other free persons.	Slaves.	Total.
Vermont.....	22,455	22,328	40,505	255	116	285,539
New Hampshire.....	36,086	34,851	70,160	630	158	141,885
Maine.....	24,384	24,748	46,870	538	None.	96,540
Massachusetts.....	95,453	87,289	190,582	5,463	None.	378,787
Rhode Island.....	16,019	15,799	32,652	3,407	948	68,825
Connecticut.....	60,523	54,403	117,448	2,808	2,764	237,946
New York.....	83,700	78,129	152,320	4,654	21,324	340,120
New Jersey.....	46,251	41,416	83,287	2,762	11,423	184,139
Pennsylvania.....	110,788	106,948	206,363	6,587	8,787	434,373
Delaware.....	11,783	12,143	22,384	3,599	8,887	56,094
Maryland.....	55,915	51,339	101,395	8,043	103,036	319,728
Virginia.....	110,936	116,135	215,046	12,586	292,627	747,610
Kentucky.....	15,154	17,057	28,922	114	12,430	73,677
North Carolina.....	69,958	77,566	140,710	4,875	100,572	383,751
South Carolina.....	35,576	37,722	66,880	1,801	107,094	249,673
Georgia.....	13,103	14,044	25,739	398	29,264	82,648
Total number of inhabitants of the United States exclusive of Southwest and Northwest territories.....	807,094	791,850	1,541,263	59,150	694,280	3,893,635
Southwest Territory.....						
Northwest Territory.....	6,271	10,277	15,365	361	3,417	35,691
						Total.

<sup>1</sup> The census of 1790, published in 1791, reports 16 slaves in Vermont. Subsequently, and up to 1860, the number is given as 17. An examination of the original manuscript returns shows that there were any slaves in Vermont. The original error occurred in preparing the results for publication, when 16 persons, returned as "free colored," were classified as "slave."  
<sup>2</sup> Corrected figures are 85,425, or 114 less than figures published in 1790, due to an error of addition in the returns for each of the towns of Fairfield, Milton, Shelburne, and Wiltiston, in the county of Chittenden; Brookfield, Newbury, Randolph, and Stratford, in the county of Orange; Castleton, Clarendon, Hubbardston, Poultney, Rutland, Shrewsbury, and Wallingford, in the county of Rutland; Dummerston, Guilford, Halifax, and Westminster, in the county of Windham; and Woodstock, in the county of Windsor.  
<sup>3</sup> Corrected figures are 59,096, or 2 more than figures published in 1790, due to error in addition.



## Creating A New Nation

### Virginia Declaration of Rights

VMHC Call Number JK3925 1776 May .A12

The following declaration was reported to the Convention by the committee appointed to prepare the same, and referred to the consideration of a committee of the whole Convention; and, in the mean time, is ordered to be printed for the perusal of the members.

*A DECLARATION of RIGHTS made by the representatives of the good people of Virginia, assembled in full and free Convention; which rights do pertain to us, and our posterity, as the basis and foundation of government.*

1. **T**HAT all men are born equally free and independent, and have certain inherent natural rights, of which they cannot, by any compact, deprive or divest their posterity; among which are, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.
2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.
3. That government is, or ought to be, instituted for the common benefit, protection, and security, of the people, nation, or community, of all the various modes and forms of government that is best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and that whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right, to reform, alter, or abolish it, in such manner as shall be judged most conducive to the publick weal.
4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of publick services; which, not being descendible, or hereditary, the idea of a man born a magistrate, a legislator, or a judge, is unnatural and absurd.
5. That the legislative and executive powers of the state should be separate and distinct from the judicative; and that the members of the two first may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections.
6. That elections of members to serve as representatives of the people, in assembly, ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage.
7. That no part of a man's property can be taken from him, or applied to publick uses, without his own consent, or that of his legal representatives; nor are the people bound by any laws but such as they have, in like manner, assented to, for their common good.



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8. That all power of suspending laws, or the execution of laws, by any authority without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

9. That laws having retrospection to crimes, and punishing offences, committed before the existence of such laws, are generally oppressive, and ought to be avoided.

10. That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers or witnesses, to call for evidence in his favour, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land, or the judgment of his peers.

11. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

12. That warrants unsupported by evidence, whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are grievous and oppressive, and ought not to be granted.

13. That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

14. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotick governments.

15. That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free state; that standing armies, in time of peace, should be avoided, as dangerous to liberty; and that, in all cases, the military should be under strict subordination to, and governed by, the civil power.

16. That the people have a right to uniform government; and therefore, that no government separate from, or independent of, the government of *Virginia*, ought, of right, to be erected or established within the limits thereof.

17. That no free government, or the blessing of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.

18. That religion, or the duty which we owe to our CREATOR, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore, that all men should enjoy the fullest toleration in the exercise of religion, according to the dictates of conscience, unpunished and unrestrained by the magistrate, unless, under colour of religion, any man disturb the peace, the happiness, or safety of society. And that it is the mutual duty of all to practice Christian forbearance, love, and charity, towards each other.

From Manuscript



VMHC Call Number: Mss7:3 JK169 Un3:1

## TRANSCRIPT | Bill of Rights

Congress of the United States  
begun and held at the City of New-York, on  
Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Article the first... After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second... No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

Article the third... Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth... A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth... No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth... The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh... No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article the eighth... In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Article the ninth... In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth... Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.



Courtesy of The Met Museum, The Elisha Whittelsey Collection, The Elisha Whittelsey Fund, 1953

